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8 Attorneys for DEFENDANT ERNST & YOUNG  
9 LLP

10  
11 UNITED STATES DISTRICT COURT  
12 EASTERN DISTRICT OF CALIFORNIA  
13 SACRAMENTO DIVISION  
14

15 JOSEPH LANDON, individually and  
16 on behalf of all others similarly  
17 situated,

18 Plaintiffs,

19 v.

20 ERNST & YOUNG LLP, a limited  
21 liability partnership; ERNST &  
22 YOUNG U.S. LLP, a limited liability  
23 partnership; and DOES 1-100,  
24 inclusive,

25 Defendants.  
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Case No. 2:08-cv-00889-GEB-DAD

**STIPULATION AND [PROPOSED]  
ORDER TO TRANSFER ACTION  
TO NORTHERN DISTRICT OF  
CALIFORNIA**

1 Plaintiff Joseph Landon ("Plaintiff") and Defendants Ernst & Young LLP and  
2 Ernst & Young U.S. LLP ("Defendants"), by and through their respective counsel,  
3 hereby agree and stipulate as follows:

4 **WHEREAS**, *Ho v. Ernst & Young LLP*, Case No. CV 05-04867 ("The *Ho*  
5 Action") was filed on September 27, 2005 in Santa Clara County Superior Court and  
6 was removed to the United States District Court for the Northern District of California  
7 on November 29, 2005;

8 **WHEREAS**, the instant action was filed in Placer County Superior Court on  
9 February 21, 2008 and was removed to this Court on April 25, 2008;

10 **WHEREAS**, on May 5, 2008, Defendants filed a Motion to Transfer this action  
11 to the Northern District on the grounds that it involves substantially similar claims and  
12 putative classes to those alleged in the *Ho* Action, and therefore transfer would promote  
13 the interests of justice and convenience to the parties and witnesses;

14 **WHEREAS**, Plaintiff does not oppose the Motion to Transfer;

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1       **THE PARTIES HEREBY STIPULATE** that this action should be transferred to  
2 the Northern District and respectfully request an order to that effect.

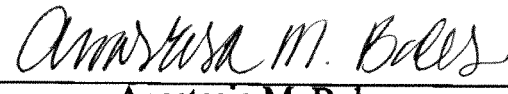
3  
4 Dated: 06/03/08

LAW OFFICE OF STEVEN ELSTER

5 By   
6 Steven Elster  
7 Attorneys for Plaintiff Joseph Landon

8 Dated: 6.3.08

AKIN GUMP STRAUSS HAUER &  
FELD LLP

9  
10 By   
11 Anastasia M. Boles  
12 Attorneys for Defendant Ernst & YOUNG LLP  
and Ernst & Young U.S. LLP

13 **IT IS SO ORDERED.**

14  
15  
16 Dated: \_\_\_\_\_

\_\_\_\_\_  
Judge Garland E. Burrell

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 2029 Century Park East, Suite 2400, Los Angeles, CA 90067. On June 3, 2008, I served the foregoing document(s) described as: **STIPULATION AND [PROPOSED] ORDER TO TRANSFER ACTION TO NORTHERN DISTRICT OF CALIFORNIA** on the interested party(ies) below, using the following means:

Steven Elster, Esq.  
Law Offices of Steven Elster  
785/E2 Oak Grove Road #201  
Concord, CA 94518-3617  
925.945.1276 (fax)

☒ BY UNITED STATES MAIL I enclosed the documents in a sealed envelope or package addressed to the respective address(es) of the party(ies) stated above and placed the envelope(s) for collection and mailing, following our ordinary business practices. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid at Los Angeles, California.

Wayne S. Kreger, Esq.  
William A. Baird, Esq.  
Milstein, Adelman & Kreger, LLP  
2800 Donald Douglas Loop North  
Santa Monica, CA 90405  
310.396.9635 (fax)

☒ BY ELECTRONIC MAIL OR ELECTRONIC TRANSMISSION. Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent to the respective e-mail address(es) of the party(ies) as stated above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on June 3, 2008 at Los Angeles, California.

Tracy Howe

[Print Name of Person Executing Proof]

[Signature]